

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Kinbook, LLC

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Richard D. Gallucci, Spector Gadon & Rosen, P.C.
1635 Market St, 7th Fl., Phila., Pa. 19103 (215) 241- 8886

DEFENDANTS

Microsoft Corporation

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

Unknown

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|---------------------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input checked="" type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 U.S.C. § 1125

Brief description of cause: Trademark Infringement

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$ UNDER F.R.C.P. 23

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE:

9/17/10

SIGNATURE OF ATTORNEY OF RECORD

Richard D. Gallucci

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

SPECTOR GADON & ROSEN, P.C.
RICHARD D. GALLUCCI, JR.
OLIVER D. GRIFFIN
1635 Market Street
7th Floor
Philadelphia, PA 19103
Phone 215-241-8888
Fax: 215-241-8844

Attorneys for Plaintiff, Kinbook, LLC

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KINBOOK, LLC,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

:
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:
:
:
:
:

CIVIL ACTION NO.

COMPLAINT

Plaintiff, Kinbook, LLC ("Kinbook"), by its attorneys, Spector Gadon & Rosen, P.C., for its complaint against defendant Microsoft Corporation ("Microsoft"), states as follows:

PARTIES

1. Kinbook is a limited liability company organized and existing under the laws of the State of Delaware, with its principal place of business located at 151 Blackpool Road, Rehoboth Beach, Delaware 19971.

1. Kinbook is a limited liability company organized and existing under the laws of the State of Delaware, with its principal place of business located at 151 Blackpool Road, Rehoboth Beach, Delaware 19971.

2. Upon information and belief, defendant Microsoft is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at One Microsoft Way, Redmond, Washington.

JURISDICTION AND VENUE

3. This case arises under an Act of Congress, 15 U.S.C. §1125, relating to trademarks and trade dress. Accordingly, the Court has original jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

4. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(c) in that defendant Microsoft regularly conducts business and sells its products throughout the United States, including the State of Pennsylvania.

GENERAL ALLEGATIONS

5. Kinbook is the developer of on-line social networking software and applications designed for the sharing of information between and among family members.

6. In May 2009, Kinbook, at its own significant expense, engaged in the process of developing a specific on-line social networking software application designed for the sharing of information between and among family members on Facebook®. Facebook is a social networking website launched in February 2004 that is operated and privately owned by Facebook, Inc., with more than 500 million active users in July 2010. Users can add people as friends and send them messages, and update their personal profiles to notify friends about themselves. Additionally, users can join networks organized by workplace, school, or college.

7. More specifically, Kinbook engaged the services of software engineers and spent a plethora of hours developing the concept of a social networking application as well as a consumer friendly and identifiable trademark and tradename in connection with its product, namely, Kinbox® and Munchkinbox®.

8. On December 2, 2009, Kinbook filed its initial application with the United States Patent and Trademark Office for the registration of the trademarks and tradenames Kinbox and Munchkinbox in connection with specific on-line social networking software application designed for the sharing of information between and among family members. True and correct copies of the trademark and tradename applications for Kinbox and Munchkinbox are attached hereto as Exhibit A.

9. Also in December 2009, Kinbook's software application for family members under the tradenames Kinbox and Munchkinbox became available for actual use by Facebook® users. True and correct copies of the webpages displayed by Facebook® in connection Kinbox and Munchkinbox in a stylized design are attached hereto as Exhibit B.

10. On or about September 3, 2010, the United States Patent and Trademark Office accepted the Statements of Use filed in connection with Kinbox®, Munchkinbox®, Kinbox® and its design, and Munchkinbox® and its design under application Nos. 77/884017, 77/884060, 77/884174, and 77/884195 respectively.

11. To date, Kinbook continues its use, development and support in connection with Kinbox and Munchkinbox as social networking applications for use on Facebook. The company has significant plans to expand this application beyond Facebook, and has capital to deploy.

12. Accordingly, Kinbook has built up and owns valuable goodwill for its product and software application under the names Kinbox and Munchkinbox.

DEFENDANT'S WRONGFUL CONDUCT

13. Defendant Microsoft is a public multinational corporation headquartered in Redmond, Washington, USA that develops, manufactures, licenses, and supports a wide range of products and services predominantly related to computing through its various product divisions.

14. On or about April 12, 2010, well after Kinbook's initial filing and use of the distinctive terms Kinbox® and Munchkinbox® in connection with social networking software and applications for use through on-line social media, Microsoft sought the registration of the term "Kin" in connection with "on-line services relating to maintaining and organizing mobile phone related data; on-line audio-visual data storage and download services; [and] on-line software download services." A true and correct copy of Microsoft's trademark and tradename application are attached hereto as Exhibit C.

15. Thereafter, Microsoft began that sale of its product, namely, the Kin One and Kin Two. The Kin One and Kin Two are wireless telephones that contain software applications for the purpose of on-line social networking as well as the downloading of audio-visual data, applications identical to those offered by Kinbox® and Munchkinbox®. Moreover, the Kin One and Kin Two are sold in packaging dubbed a "Kinbox." A true and correct copy of a webpage displaying the Kin One and Kin Two product packaging are attached hereto as Exhibit D.

16. In addition, in November 2010, Microsoft is poised to release its software application and product known as "**K**inect," an on-line social networking application for use on the XBOX 360. A true and correct copy of a webpage from engadget.com touting the release of Microsoft's Kinect for XBOX 360 is attached hereto as Exhibit E.

17. Upon information and belief, Microsoft is developing additional on-line social networking software and applications using the term "Kin."

18. Microsoft's use of the term "Kin" in connection with on-line social networking software and applications constitutes trademark infringement and has caused substantial customer confusion and confusion to the public. Such confusion irreparably strips Kinbook of the goodwill it has developed with the consuming public in connection with its use of the trademarks and tradenames Kinbox® and Munchkinbox®, and is injurious to the consuming public as well.

COUNT I

**UNFAIR COMPETITION AND TRADE DRESS INFRINGEMENT
15 U.S.C.A. § 1125(a)**

19. The allegations set forth in paragraphs 1 through 18 hereof are incorporated herein by reference.

20. Kinbook's registered trademarks and tradenames Kinbox and Munchkinbox in connection with on-line social networking software applications is inherently distinctive.

21. Microsoft's on-line social networking devices, software and applications using the term "Kin" are advertised and promoted in the same channels of trade, and are directed to the same consumers, as the on-line social networking software and applications offered by Kinbook via Facebook®. Microsoft has infringed on the rights of Kinbook by using a trademark and tradename, namely the term "Kin," in connection with the sale of its products Kin One and Kin Two, as well as its soon-to-be-released Kinect product - products specifically designed for on-line social networking. Microsoft's use of the term "Kin" in connection with these products is

confusingly similar to the distinctive trademark and tradename used by Kinbook with respect to Kinbox® and Munchkinbox®.

22. Microsoft is unfairly competing with Kinbook by adopting the infringing trademark and tradename to identify its on-line social networking products and applications, the intent and result of which has been, and continues to be, a palming off or passing off of Kinbook's on-line social networking application as emanating from or being endorsed by Kinbook, thereby causing confusion, mistake or deception among the public as to the source or origin of such goods.

23. Microsoft's use of confusingly similar trademarks and tradenames is likely to and does permit Microsoft to misappropriate and unfairly trade on the valuable goodwill developed by Kinbook.

24. Microsoft's misappropriation and misuse of the Kinbook trademarks and tradenames is a false designation of origin as to the on-line social networking software and applications Microsoft makes available in interstate commerce. Consumers who purchase Microsoft's products, and specifically its Kin One, Kin Two and Kinect, are led to believe that the product associated with Microsoft originates with Kinbook or is sponsored by Kinbook when, in fact, Kinbook has no responsibility for, or control over, the acts of Microsoft or the quality of its products.

25. By its wrongful acts, Microsoft has caused, and unless restrained and enjoined, will continue to cause serious irreparable injury and damage to Kinbook and the goodwill it has developed in connection with the trademarks and tradenames Kinbox® and Munchkinbox® in this district and elsewhere in the United States. Microsoft's acts have further caused and will

continue to cause irreparable injury to the public as well. Kinbook has no adequate remedy at law.

WHEREFORE, plaintiff Kinbook, LLC demands judgment against defendant Microsoft, for the following:

- a. Preliminary and permanent injunctive relief enjoining Microsoft, its officers, agents, servants, affiliates, parent and subsidiary corporations, representatives and all those in privity or acting in concert with Microsoft, from directly or indirectly (i) using the trademark or tradename "Kin" in connection with the sale or offering of on-line social networking software or applications; (ii) performing any actions or using, trade names, words, names, styles, titles, or designs that are likely to cause confusion or mistake, to deceive, or otherwise mislead the trade or public into believing that Kinbook and Microsoft are one and the same, or in some way affiliated or connected, or that the goods produced and manufactured by Microsoft originate with Kinbook; (iii) using trademarks or tradenames or engaging in any other conduct that creates a likelihood of injury to the business reputation of Kinbook or a likelihood of misappropriation and dilution of Kinbook's distinctive trademarks and tradenames and the goodwill associated therewith; and (iv) using any practice whatsoever, including those set forth in this complaint, that tend to unfairly compete with or injure Kinbook, its business, or the goodwill it has developed and is associated with Kinbox® and Munckinbox®;
- b. An accounting of all gains, profits and advantages derived by Microsoft from the activities complained of in this complaint;
- c. The fullest possible monetary recovery against Microsoft as specified in 15 U.S.C.A. § 1117, including treble damages, together with such other and additional amounts recoverable under principles of common law;

- d. Costs and expenses of litigation against Microsoft, including attorneys' fees, together with interest thereon at the legal rate; and
- e. Such other relief as the Court deems just and proper.

/s/ Richard D. Gallucci, Jr. _____
RICHARD D. GALLUCCI, JR.
OLIVER D. GRIFFIN
SPECTOR GADON & ROSEN, P.C.
A Professional Corporation
1635 Market Street
7th Floor
Philadelphia, PA 19103
Phone: 215-241-8888
Fax: 215-241-8844

*Attorneys for Plaintiff,
Kinbook, LLC*

Date: September 17, 2010

EXHIBIT "A"

Trademark/Service Mark Application, Principal Register

Serial Number: 77884017

Filing Date: 12/02/2009

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77884017
MARK INFORMATION	
*MARK	<u>KINBOX</u>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	KINBOX
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Kinbook, LLC
*STREET	151 Blackpool Road
*CITY	Rehoboth Beach
*STATE (Required for U.S. applicants)	Delaware
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	19971
LEGAL ENTITY INFORMATION	

TYPE limited liability company

STATE/COUNTRY

WHERE

LEGALLY

Delaware

ORGANIZED

GOODS AND/OR SERVICES AND BASIS INFORMATION

*

INTERNATIONAL CLASS 045

* On-line social networking services enabling sharing of information among
IDENTIFICATION family members

FILING BASIS SECTION 1(b)

ATTORNEY INFORMATION

NAME Rex A. Donnelly

**ATTORNEY
DOCKET
NUMBER**

KNB-100US

FIRM NAME

RatnerPrestia

STREET

1007 N. Orange Street; Suite 1100

**INTERNAL
ADDRESS**

P. O. Box 1596

CITY

Wilmington

STATE

Delaware

COUNTRY

United States

**ZIP/POSTAL
CODE**

19899

PHONE

3027782500

FAX

3027782600

EMAIL ADDRESS tmde@ratnerprestia.com

**AUTHORIZED TO
COMMUNICATE
VIA EMAIL**

Yes

**OTHER
APPOINTED**

Lawrence E. Ashery, Eric Berkowitz, Joshua L. Cohen, Christopher Dervishian, Jacques L. Etkowicz, Zachary J. Fansler, Jack J. Jankovitz, Andrew J. Koopman, Benjamin E. Leace, Christopher R. Lewis, Glenn M. Massina, John W. McGlynn, Glen Murphy, Kenneth N. Nigon, Paul F.

ATTORNEY Prestia, Allan Ratner, Christopher A. Rothe, Lauren Schmidt, Robert P. Seitter, Jaimin B. Shah, Jonathan H. Spadt, Stephen J. Weed, Stanley Weinberg

CORRESPONDENCE INFORMATION

NAME Rex A. Donnelly
FIRM NAME RatnerPrestia
STREET 1007 N. Orange Street; Suite 1100
INTERNAL ADDRESS P. O. Box 1596
CITY Wilmington
STATE Delaware
COUNTRY United States
ZIP/POSTAL CODE 19899
PHONE 3027782500
FAX 3027782600
EMAIL ADDRESS tmde@ratnerprestia.com
AUTHORIZED TO COMMUNICATE VIA EMAIL Yes

FEE INFORMATION

NUMBER OF CLASSES 1
FEE PER CLASS 325
***TOTAL FEE DUE** 325
***TOTAL FEE PAID** 325

SIGNATURE INFORMATION

ORIGINAL PDF FILE hw 14614549106-105251775 . Declaration for the Mark KINBOX.pdf

CONVERTED PDF FILE(S) \\TICRS\EXPORT8\IMAGEOUT8\778\840\77884017\xml1\APP0003.JPG

(1 page)

SIGNATORY'S NAME Jacquelyn Blue

SIGNATORY'S
POSITION

CEO

Trademark/Service Mark Application, Principal Register

Serial Number: 77884017

Filing Date: 12/02/2009

To the Commissioner for Trademarks:

MARK: KINBOX (Standard Characters, see mark)

The literal element of the mark consists of KINBOX.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Kinbook, LLC, a limited liability company legally organized under the laws of Delaware, having an address of

151 Blackpool Road
Rehoboth Beach, Delaware 19971
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 045: On-line social networking services enabling sharing of information among family members

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints Rex A. Donnelly and Lawrence E. Ashery, Eric Berkowitz, Joshua L. Cohen, Christopher Dervishian, Jacques L. Etkowicz, Zachary J. Fansler, Jack J. Jankovitz, Andrew J. Koopman, Benjamin E. Leace, Christopher R. Lewis, Glenn M. Massina, John W. McGlynn, Glen Murphy, Kenneth N. Nigon, Paul F. Prestia, Allan Ratner, Christopher A. Rothe, Lauren Schmidt, Robert P. Seitter, Jaimin B. Shah, Jonathan H. Spadt, Stephen J. Weed, Stanley Weinberg of RatnerPrestia

P. O. Box 1596
1007 N. Orange Street; Suite 1100
Wilmington, Delaware 19899
United States

to submit this application on behalf of the applicant. The attorney docket/reference number is KNB-100US.

Correspondence Information: Rex A. Donnelly

RatnerPrestia

P. O. Box 1596

1007 N. Orange Street; Suite 1100

Wilmington, Delaware 19899

3027782500(phone)

3027782600(fax)

tmde@ratnerprestia.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

Original PDF file:

hw 14614549106-105251775 . Declaration for the Mark KINBOX.pdf

Converted PDF file(s) (1 page)

Signature File1

Signatory's Name: Jacquelyn Blue

Signatory's Position: CEO

RAM Sale Number: 8888

RAM Accounting Date: 12/02/2009

Serial Number: 77884017

Internet Transmission Date: Wed Dec 02 11:13:53 EST 2009

TEAS Stamp: USPTO/BAS-146.145.49.106-200912021113530

35680-77884017-460be23bfbf952226746c42e9

8c41905fb8-CC-8888-20091202105251775178

KINBOX

DEC-01-2009 10:16 PM JBLUE

6105780855

P.05

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature Section:Signature: Signatory's Name: Jacquelyn BlueSignatory's Position: CEODate Signed: Dec. 1, 2009

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page must include both the signature information and the boilerplate declaration language. Do not include the entire application, but do ensure that the boilerplate declaration language actually appears; a signature by itself will not be acceptable. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

KINBOX

Trademark/Service Mark Application, Principal Register

Serial Number: 77884174

Filing Date: 12/02/2009

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77884174
MARK INFORMATION	
*MARK	<u>\\TICRS\EXPORT8\IMAGEOUT8\778\841\77884174\xml1\AP P0002.JPG</u>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of stylized text forming the word "KinBox" with the letter "i" represented by the figures of an adult and child and the letter "o" represented in the form of a rectangular box containing the figures of an adult waving to a child.
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	766 x 210
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Kinbook, LLC
*STREET	151 Blackpool Road
*CITY	Rehoboth Beach
*STATE (Required for U.S. applicants)	Delaware
*COUNTRY	United States

***ZIP/POSTAL**

CODE 19971
(Required for U.S.
applicants only)

LEGAL ENTITY INFORMATION

TYPE limited liability company

STATE/COUNTRY

WHERE
LEGALLY Delaware
ORGANIZED

GOODS AND/OR SERVICES AND BASIS INFORMATION

*** INTERNATIONAL CLASS** 045

*** IDENTIFICATION** On-line social networking services enabling sharing of information among family members

FILING BASIS SECTION 1(b)

ATTORNEY INFORMATION

NAME Rex A. Donnelly

ATTORNEY DOCKET NUMBER KNB-102US

FIRM NAME RatnerPrestia

STREET 1007 N. Orange Street; Suite 1100

INTERNAL ADDRESS P. O. Box 1596

CITY Wilmington

STATE Delaware

COUNTRY United States

ZIP/POSTAL CODE 19899

PHONE 302-778-2500

FAX 302-778-2600

EMAIL ADDRESS tmde@ratnerprestia.com

AUTHORIZED TO

COMMUNICATE Yes
VIA EMAIL

OTHER
APPOINTED
ATTORNEY

Lawrence E. Ashery, Eric Berkowitz, Joshua L. Cohen, Christopher Dervishian, Jacques L. Etkowicz, Zachary J. Fansler, Jack J. Jankovitz, Andrew J. Koopman, Benjamin E. Leace, Christopher R. Lewis, Glenn M. Massina, John W. McGlynn, Glenn Murphy, Kenneth N. Nigon, Paul F. Prestia, Allan Ratner, Christopher A. Rothe, Lauren Schmidt, Robert P. Seitter, Jaimin B. Shah, Jonathan H. Spadt, Stephen J. Weed, Stanley Weinberg

CORRESPONDENCE INFORMATION

NAME Rex A. Donnelly
FIRM NAME RatnerPrestia
STREET 1007 N. Orange Street; Suite 1100
INTERNAL ADDRESS P. O. Box 1596
CITY Wilmington
STATE Delaware
COUNTRY United States
ZIP/POSTAL CODE 19899
PHONE 302-778-2500
FAX 302-778-2600
EMAIL ADDRESS tmde@ratnerprestia.com
AUTHORIZED TO COMMUNICATE Yes
VIA EMAIL

FEE INFORMATION

NUMBER OF CLASSES 1
FEE PER CLASS 325
***TOTAL FEE DUE** 325
***TOTAL FEE PAID** 325

SIGNATURE INFORMATION

ORIGINAL PDF FILE hw 14614549106-123105335 . Declaration for KINBOX Logo.pdf

CONVERTED PDF FILE(S) (1 page)	<u>\\TICRS\EXPORT8\IMAGEOUT8\778\841\77884174\xml1\APP0003.JPG</u>
SIGNATORY'S NAME	Jacquelyn Blue
SIGNATORY'S POSITION	CEO

Trademark/Service Mark Application, Principal Register

Serial Number: 77884174

Filing Date: 12/02/2009

To the Commissioner for Trademarks:

MARK: (Stylized and/or Design, see mark)

The applicant is not claiming color as a feature of the mark. The mark consists of stylized text forming the word "KinBox" with the letter "i" represented by the figures of an adult and child and the letter "o" represented in the form of a rectangular box containing the figures of an adult waving to a child. The applicant, Kinbook, LLC, a limited liability company legally organized under the laws of Delaware, having an address of

151 Blackpool Road
Rehoboth Beach, Delaware 19971
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 045: On-line social networking services enabling sharing of information among family members

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints Rex A. Donnelly and Lawrence E. Ashery, Eric Berkowitz, Joshua L.

Cohen, Christopher Dervishian, Jacques L. Etkowicz, Zachary J. Fansler, Jack J. Jankovitz, Andrew J. Koopman, Benjamin E. Leace, Christopher R. Lewis, Glenn M. Massina, John W. McGlynn, Glenn Murphy, Kenneth N. Nigon, Paul F. Prestia, Allan Ratner, Christopher A. Rothe, Lauren Schmidt, Robert P. Seitter, Jaimin B. Shah, Jonathan H. Spadt, Stephen J. Weed, Stanley Weinberg of RatnerPrestia

P. O. Box 1596

1007 N. Orange Street; Suite 1100

Wilmington, Delaware 19899

United States

to submit this application on behalf of the applicant. The attorney docket/reference number is KNB-102US.

Correspondence Information: Rex A. Donnelly

RatnerPrestia

P. O. Box 1596

1007 N. Orange Street; Suite 1100

Wilmington, Delaware 19899

302-778-2500(phone)

302-778-2600(fax)

tmde@ratnerprestia.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

Original PDF file:

hw 14614549106-123105335 . Declaration for KINBOX Logo.pdf

Converted PDF file(s) (1 page)

Signature File1

Signatory's Name: Jacquelyn Blue

Signatory's Position: CEO

RAM Sale Number: 10029

RAM Accounting Date: 12/02/2009

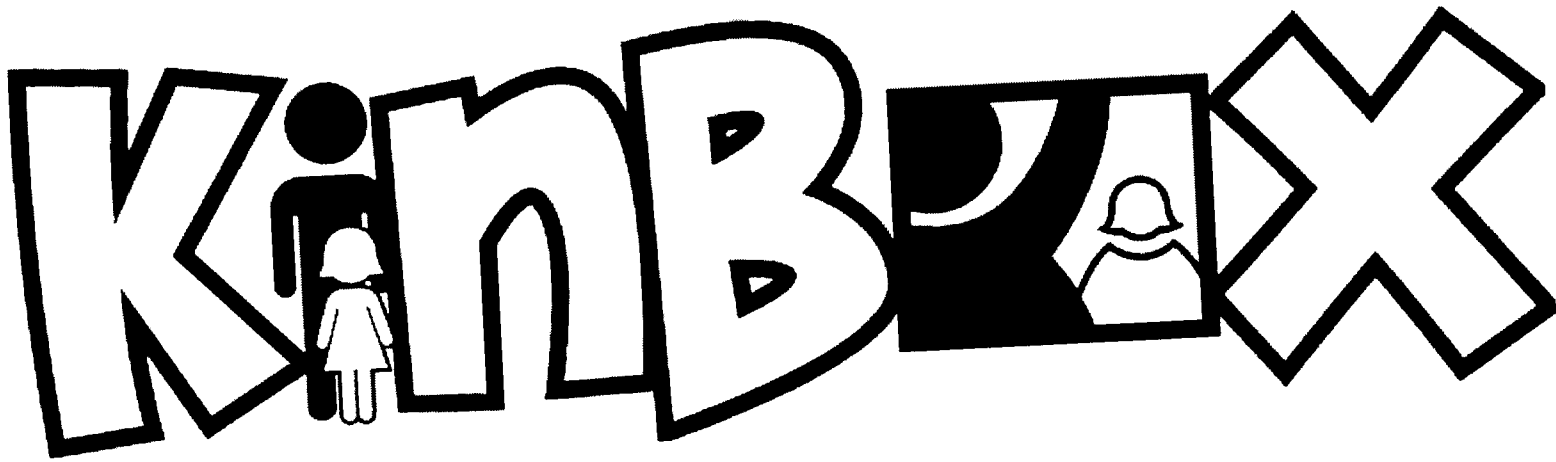
Serial Number: 77884174

Internet Transmission Date: Wed Dec 02 12:50:08 EST 2009

TEAS Stamp: USPTO/BAS-146.145.49.106-200912021250080

84142-77884174-460d79f86a54e403ac9c76c47

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DEC-01-2009 10:15 PM JBLUE

6105780855

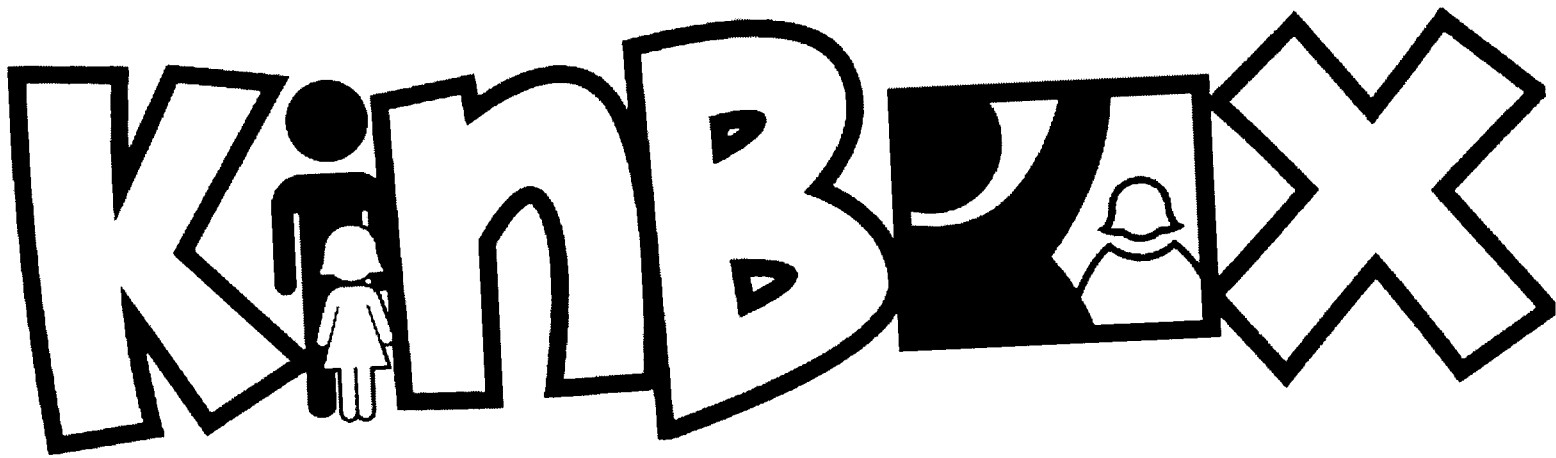
P.03

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature Section:Signature: Signatory's Name: Jacqueline BlineSignatory's Position: CEODate Signed: Dec. 1, 2009

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page must include both the signature information and the boilerplate declaration language. Do not include the entire application, but do ensure that the boilerplate declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.



Trademark/Service Mark Application, Principal Register

Serial Number: 77884060

Filing Date: 12/02/2009

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77884060
MARK INFORMATION	
*MARK	<u>MUNCHKINBOX</u>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	MUNCHKINBOX
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Kinbook, LLC
*STREET	151 Blackpool Road
*CITY	Rehoboth Beach
*STATE (Required for U.S. applicants)	Delaware
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	19971
LEGAL ENTITY INFORMATION	

TYPE limited liability company

STATE/COUNTRY

WHERE LEGALLY ORGANIZED Delaware

GOODS AND/OR SERVICES AND BASIS INFORMATION

*

INTERNATIONAL CLASS 045

*

IDENTIFICATION On-line social networking services enabling sharing of information among children and their extended family

FILING BASIS SECTION 1(b)

ATTORNEY INFORMATION

NAME Rex A. Donnelly

ATTORNEY DOCKET NUMBER KNB-101US

FIRM NAME RatnerPrestia

STREET 1007 N. Orange Street; Suite 1100

INTERNAL ADDRESS P. O. Box 1596

CITY Wilmington

STATE Delaware

COUNTRY United States

ZIP/POSTAL CODE 19899

PHONE 3027782500

FAX 3027782600

EMAIL ADDRESS tmde@ratnerprestia.com

AUTHORIZED TO COMMUNICATE VIA EMAIL Yes

OTHER APPOINTED Lawrence E. Ashery, Eric Berkowitz, Joshua L. Cohen, Christopher Dervishian, Jacques L. Etkowicz, Zachary J. Fansler, Jack J. Jankovitz, Andrew J. Koopman, Benjamin E. Leace, Christopher R. Lewis, Glenn M. Massina, John W. McGlynn, Glenn Murphy, Kenneth N. Nigon, Paul F.

ATTORNEY Prestia, Allan Ratner, Christopher A. Rothe, Lauren Schmidt, Robert P. Seitter, Jaimin B. Shah, Jonathan H. Spadt, Stephen J. Weed, Stanley Weinberg

CORRESPONDENCE INFORMATION

NAME Rex A. Donnelly
FIRM NAME RatnerPrestia
STREET 1007 N. Orange Street; Suite 1100
INTERNAL ADDRESS P. O. Box 1596
CITY Wilmington
STATE Delaware
COUNTRY United States
ZIP/POSTAL CODE 19899
PHONE 3027782500
FAX 3027782600
EMAIL ADDRESS tmde@ratnerprestia.com
AUTHORIZED TO COMMUNICATE VIA EMAIL Yes

FEE INFORMATION

NUMBER OF CLASSES 1
FEE PER CLASS 325
***TOTAL FEE DUE** 325
***TOTAL FEE PAID** 325

SIGNATURE INFORMATION

ORIGINAL PDF FILE hw_14614549106-112538852 . Declaration for the Mark KINBOX.pdf
CONVERTED PDF FILE(S) \\TICRS\EXPORT8\IMAGEOUT8\778\840\77884060\xml1\APP0003.JPG
(1 page)
SIGNATORY'S NAME Jacquelyn Blue

**SIGNATORY'S
POSITION**

CEO

Trademark/Service Mark Application, Principal Register

Serial Number: 77884060

Filing Date: 12/02/2009

To the Commissioner for Trademarks:

MARK: MUNCHKINBOX (Standard Characters, see mark)

The literal element of the mark consists of MUNCHKINBOX.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Kinbook, LLC, a limited liability company legally organized under the laws of Delaware, having an address of

151 Blackpool Road

Rehoboth Beach, Delaware 19971

United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 045: On-line social networking services enabling sharing of information among children and their extended family

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints Rex A. Donnelly and Lawrence E. Ashery, Eric Berkowitz, Joshua L. Cohen, Christopher Dervishian, Jacques L. Etkowicz, Zachary J. Fansler, Jack J. Jankovitz, Andrew J. Koopman, Benjamin E. Leace, Christopher R. Lewis, Glenn M. Massina, John W. McGlynn, Glenn Murphy, Kenneth N. Nigon, Paul F. Prestia, Allan Ratner, Christopher A. Rothe, Lauren Schmidt, Robert P. Seitter, Jaimin B. Shah, Jonathan H. Spadt, Stephen J. Weed, Stanley Weinberg of RatnerPrestia

P. O. Box 1596

1007 N. Orange Street; Suite 1100

Wilmington, Delaware 19899

United States

to submit this application on behalf of the applicant. The attorney docket/reference number is KNB-101US.

Correspondence Information: Rex A. Donnelly

RatnerPrestia

P. O. Box 1596

1007 N. Orange Street; Suite 1100

Wilmington, Delaware 19899

3027782500(phone)

3027782600(fax)

tmde@ratnerprestia.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

Original PDF file:

hw 14614549106-112538852 . Declaration for the Mark KINBOX.pdf

Converted PDF file(s) (1 page)

Signature File1

Signatory's Name: Jacquelyn Blue

Signatory's Position: CEO

RAM Sale Number: 9231

RAM Accounting Date: 12/02/2009

Serial Number: 77884060

Internet Transmission Date: Wed Dec 02 11:41:04 EST 2009

TEAS Stamp: USPTO/BAS-146.145.49.106-200912021141041

29374-77884060-4601b56ef3bcab1c272d8bcc7

b082c0c2cf-CC-9231-20091202112538852975

MUNCHKINBOX

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature Section:Signature: Signatory's Name: Jacquelyn BlueSignatory's Position: CEODate Signed: Dec. 1, 2009

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information and the boilerplate declaration language. Do not include the entire application, but do ensure that the boilerplate declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

MUNCHKINBOX

Trademark/Service Mark Application, Principal Register

Serial Number: 77884195

Filing Date: 12/02/2009

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77884195
MARK INFORMATION	
*MARK	<u>\\TICRS\EXPORT8\IMAGEOUT8\778\841\77884195\xml1\AP P0002.JPG</u>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of stylized text forming the word "MunchkinBox" with the letter "i" represented by the figures of an adult and child and the letter "o" represented in the form of a rectangular box containing the figures of an adult waving to a child.
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	792 x 160
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Kinbook, LLC
*STREET	151 Blackpool Road
*CITY	Rehoboth Beach
*STATE (Required for U.S. applicants)	Delaware
*COUNTRY	United States

***ZIP/POSTAL**

CODE 19971
(Required for U.S.
applicants only)

LEGAL ENTITY INFORMATION

TYPE limited liability company

STATE/COUNTRY
WHERE Delaware
LEGALLY
ORGANIZED

GOODS AND/OR SERVICES AND BASIS INFORMATION

*** INTERNATIONAL CLASS** 045

*** IDENTIFICATION** On-line social networking services enabling sharing of information among children and their extended family

FILING BASIS SECTION 1(b)

ATTORNEY INFORMATION

NAME Rex A. Donnelly

ATTORNEY DOCKET NUMBER KNB-103US

FIRM NAME RatnerPrestia

STREET 1007 N. Orange Street; Suite 1100

INTERNAL ADDRESS P. O. Box 1596

CITY Wilmington

STATE Delaware

COUNTRY United States

ZIP/POSTAL CODE 19899

PHONE 302-778-2500

FAX 302-778-2600

EMAIL ADDRESS tmde@ratnerprestia.com

AUTHORIZED TO

COMMUNICATE Yes
VIA EMAIL

OTHER
APPOINTED
ATTORNEY

Lawrence E. Ashery, Eric Berkowitz, Joshua L. Cohen, Christopher Dervishian, Jacques L. Etkowicz, Zachary J. Fansler, Jack J. Jankovitz, Andrew J. Koopman, Benjamin E. Leace, Christopher R. Lewis, Glenn M. Massina, John W. McGlynn, Glenn Murphy, Kenneth N. Nigon, Paul F. Prestia, Allan Ratner, Christopher A. Rothe, Lauren Schmidt, Robert P. Seitter, Jaimin B. Shah, Jonathan H. Spadt, Stephen J. Weed, Stanley Weinberg

CORRESPONDENCE INFORMATION

NAME Rex A. Donnelly
FIRM NAME RatnerPrestia
STREET 1007 N. Orange Street; Suite 1100
INTERNAL ADDRESS P. O. Box 1596
CITY Wilmington
STATE Delaware
COUNTRY United States
ZIP/POSTAL CODE 19899
PHONE 302-778-2500
FAX 302-778-2600
EMAIL ADDRESS tmde@ratnerprestia.com

AUTHORIZED TO
COMMUNICATE Yes
VIA EMAIL

FEE INFORMATION

NUMBER OF CLASSES 1
FEE PER CLASS 325
*TOTAL FEE DUE 325
*TOTAL FEE PAID 325

SIGNATURE INFORMATION

ORIGINAL hw 14614549106-
PDF FILE

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CONVERTED PDF FILE(S) (1 page)	<u>\\TICRS\EXPORT8\IMAGEOUT8\778\841\77884195\xml\APP0003.JPG</u>
SIGNATORY'S NAME	Jacquelyn Blue
SIGNATORY'S POSITION	CEO

Trademark/Service Mark Application, Principal Register

Serial Number: 77884195

Filing Date: 12/02/2009

To the Commissioner for Trademarks:

MARK: (Stylized and/or Design, see mark)

The applicant is not claiming color as a feature of the mark. The mark consists of stylized text forming the word "MunchkinBox" with the letter "i" represented by the figures of an adult and child and the letter "o" represented in the form of a rectangular box containing the figures of an adult waving to a child.

The applicant, Kinbook, LLC, a limited liability company legally organized under the laws of Delaware, having an address of

151 Blackpool Road
Rehoboth Beach, Delaware 19971
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

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The applicant hereby appoints Rex A. Donnelly and Lawrence E. Ashery, Eric Berkowitz, Joshua L. Cohen, Christopher Dervishian, Jacques L. Etkowicz, Zachary J. Fansler, Jack J. Jankovitz, Andrew J. Koopman, Benjamin E. Leace, Christopher R. Lewis, Glenn M. Massina, John W. McGlynn, Glenn Murphy, Kenneth N. Nigon, Paul F. Prestia, Allan Ratner, Christopher A. Rothe, Lauren Schmidt, Robert P. Seitter, Jaimin B. Shah, Jonathan H. Spadt, Stephen J. Weed, Stanley Weinberg of RatnerPrestia

P. O. Box 1596

1007 N. Orange Street; Suite 1100

Wilmington, Delaware 19899

United States

to submit this application on behalf of the applicant. The attorney docket/reference number is KNB-103US.

Correspondence Information: Rex A. Donnelly

RatnerPrestia

P. O. Box 1596

1007 N. Orange Street; Suite 1100

Wilmington, Delaware 19899

302-778-2500(phone)

302-778-2600(fax)

tmde@ratnerprestia.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

Original PDF file:

hw 14614549106-125524887 . Declaration for MUNCHKINBOX Logo.pdf

Converted PDF file(s) (1 page)

Signature File1

Signatory's Name: Jacquelyn Blue

Signatory's Position: CEO

RAM Sale Number: 10220

RAM Accounting Date: 12/02/2009

Serial Number: 77884195

Internet Transmission Date: Wed Dec 02 13:07:45 EST 2009

TEAS Stamp: USPTO/BAS-146.145.49.106-200912021307456

27428-77884195-460443390a2a4ebe3e36b892f

25c5bde1d1-CC-10220-20091202125524887580

MunchKinBox

DEC-01-2009 10:17 PM JBLUE

6105780855

P.07

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature Section:Signature: Signatory's Name: Jacquelyn BlueSignatory's Position: CEODate Signed: DEC. 1, 2009

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page must include both the signature information and the boilerplate declaration language. Do not include the entire application, but do ensure that the boilerplate declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

MunchkinBox

EXHIBIT "B"

facebook

Search



Your Memory Box. Now And Forever.

Home

My KinBoxes

My Profile

Search

About

Terms of Service

Help

Rex's Kin

Events

HunchKinBox

LegacyBox

Memories

Invite

Settings



KinBox Members



Create KinBox

Edit This KinBox

Create An Event

KinBox Requests

Invite List

Invite to KinBox

About This KinBox

Donnelly family

Post a Memory, Story or Comment Here

No comments have been entered. Please post a comment, story, or memory below.

Comment:

Post



July 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

CAPTURE THE CHILDHOOD
OF LOVED ONES THROUGH:

PHOTOGRAPHY, VIDEO, AND AUDIO



MunchkinBox

LEGACYBOX

PRESERVE & HONOR THOSE LOVED ONES
WHO'VE PASSED ON

Home Report English (US)

About Advertis

Chat (3)

EXHIBIT "C"

Trademark Electronic Search System (TESS)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Sat Jun 12 03:56:59 EDT 2010

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#) [PREV LIST](#) [CURR LIST](#) [NEXT LIST](#)
[FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At: OR [Jump](#) to record: **Record 11 out of 424**

[TARR Status](#) [ASSIGN Status](#) [TDR](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

KIN

Word Mark
Goods and
Services

KIN

IC 009. US 021 023 026 036 038. G & S: mobile phones; portable audio-video media players; smartphones; handheld computing devices; operating system software for mobile phones, portable audio-video media players, smartphones and handheld computing devices

IC 042. US 100 101. G & S: on-line services related to maintaining and organizing mobile phone related data; on-line audio-visual data storage and download services; on-line software download services

Standard
Characters
Claimed

Mark Drawing
Code

(4) STANDARD CHARACTER MARK

Serial Number

85011924

Filing Date

April 12, 2010

Current Filing
Basis

1B;44D

Original Filing
Basis

1B;44D

Owner

(APPLICANT) Microsoft Corporation CORPORATION WASHINGTON One Microsoft Way Redmond
WASHINGTON 980526399

Attorney of
Record

William O. Ferron, Jr.

Priority Date

December 21, 2009

Type of Mark

TRADEMARK. SERVICE MARK

Register

PRINCIPAL

Live/Dead
Indicator

LIVE

TESS HOME

NEW USER

STRUCTURED

FREE FORM

BROWSE DICT

SEARCH OG

TOP

HELP

PREV LIST

CURR LIST

NEXT LIST

FIRST DOC

PREV DOC

NEXT DOC

LAST DOC

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

Trademark/Service Mark Application, Principal Register

Serial Number: 85011924

Filing Date: 04/12/2010

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85011924
MARK INFORMATION	
*MARK	KIN
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	KIN
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Microsoft Corporation
*STREET	One Microsoft Way
*CITY	Redmond
*STATE (Required for U.S. applicants)	Washington
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	98052-6399
LEGAL ENTITY INFORMATION	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Washington
GOODS AND/OR SERVICES AND BASIS INFORMATION	

***INTERNATIONAL CLASS**

009

***IDENTIFICATION**

mobile phones; portable audio-video media players; smartphones; handheld computing devices; operating system software for mobile phones, portable audio-video media players, smartphones and handheld computing devices

FILING BASIS

SECTION 1(b)

FILING BASIS

SECTION 44(d)

FOREIGN APPLICATION NUMBER

2009/26,196

FOREIGN APPLICATION COUNTRY

South Africa

FOREIGN FILING DATE

12/21/2009

***INTERNATIONAL CLASS**

042

***IDENTIFICATION**

on-line services related to maintaining and organizing mobile phone related data; on-line audio-visual data storage and download services; on-line software download services

FILING BASIS

SECTION 1(b)

FILING BASIS

SECTION 44(d)

FOREIGN APPLICATION NUMBER

2009/26,198

FOREIGN APPLICATION COUNTRY

South Africa

FOREIGN FILING DATE

12/21/2009

ATTORNEY INFORMATION

NAME

William O. Ferron, Jr.

ATTORNEY DOCKET NUMBER

664005.20058

FIRM NAME

Seed IP Law Group PLLC

STREET

701 Fifth Avenue

INTERNAL ADDRESS

Suite 5400

CITY

Seattle

STATE

Washington

COUNTRY

United States

ZIP/POSTAL CODE	98104
PHONE	206-622-4900
FAX	206-682-6031
EMAIL ADDRESS	BillF.docketing@SeedIP.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Lorraine Linford, E. Russell Tarleton, Kevin S. Costanza, Timothy L. Boller, Karl L. Klassen, Nathaniel E. Durrance and Jared M. Barrett

CORRESPONDENCE INFORMATION

NAME	William O. Ferron, Jr.
FIRM NAME	Seed IP Law Group PLLC
STREET	701 Fifth Avenue
INTERNAL ADDRESS	Suite 5400
CITY	Seattle
STATE	Washington
COUNTRY	United States
ZIP/POSTAL CODE	98104
PHONE	206-622-4900
FAX	206-682-6031
EMAIL ADDRESS	BillF.docketing@SeedIP.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

FEE INFORMATION

NUMBER OF CLASSES	2
FEE PER CLASS	325
*TOTAL FEE DUE	650
*TOTAL FEE PAID	650

SIGNATURE INFORMATION

SIGNATURE	/William O. Ferron, Jr./
SIGNATORY'S NAME	William O. Ferron, Jr.

SIGNATORY'S POSITION

Attorney for Applicant, Washington State Bar
Member

DATE SIGNED

04/12/2010

Trademark/Service Mark Application, Principal Register

Serial Number: 85011924

Filing Date: 04/12/2010

To the Commissioner for Trademarks:

MARK: KIN (Standard Characters, see mark)

The literal element of the mark consists of KIN.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Microsoft Corporation, a corporation of Washington, having an address of

One Microsoft Way

Redmond, Washington 98052-6399

United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 009: mobile phones; portable audio-video media players; smartphones; handheld computing devices; operating system software for mobile phones, portable audio-video media players, smartphones and handheld computing devices

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

Priority based on foreign filing: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services and asserts a claim of priority based on South Africa application number 2009/26,196, filed 12/21/2009. 15 U.S.C. Section 1126(d), as amended.

International Class 042: on-line services related to maintaining and organizing mobile phone related data; on-line audio-visual data storage and download services; on-line software download services
Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related

company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

Priority based on foreign filing: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services and asserts a claim of priority based on South Africa application number 2009/26,198, filed 12/21/2009. 15 U.S.C. Section 1126(d), as amended.

The applicant hereby appoints William O. Ferron, Jr. and Lorraine Linford, E. Russell Tarleton, Kevin S. Costanza, Timothy L. Boller, Karl L. Klassen, Nathaniel E. Durrance and Jared M. Barrett of Seed IP Law Group PLLC

Suite 5400

701 Fifth Avenue

Seattle, Washington 98104

United States

to submit this application on behalf of the applicant. The attorney docket/reference number is 664005.20058.

Correspondence Information: William O. Ferron, Jr.

Seed IP Law Group PLLC

Suite 5400

701 Fifth Avenue

Seattle, Washington 98104

206-622-4900(phone)

206-682-6031(fax)

BillF.docketing@SeedIP.com (authorized)

A fee payment in the amount of \$650 has been submitted with the application, representing payment for 2 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /William O. Ferron, Jr./ Date Signed: 04/12/2010
Signatory's Name: William O. Ferron, Jr.
Signatory's Position: Attorney for Applicant, Washington State Bar Member

RAM Sale Number: 2585
RAM Accounting Date: 04/13/2010

Serial Number: 85011924
Internet Transmission Date: Mon Apr 12 16:05:20 EDT 2010
TEAS Stamp: USPTO/BAS-38.100.227.210-201004121605205
95129-85011924-460f35162691d4a33fe1d1443
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EXHIBIT "D"

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EXHIBIT "E"

Microsoft Kinect to go on sale in November, somewhere -- Engadget

MAIL



FILED UNDER

Microsoft Kinect to go on sale in November, somewhere

Thomas Ricker

Introducing Kinect for Xbox 360 - formerly "Project Natal." This extraordinary new way to play games is coming November 2010.

comment

Check out the link below - it is the latest status update to the Xbox MySpace page, showing a date on a UK Microsoft press page, which also have a picture of below. This would seem to imply it's also hitting Europe, then on the end of the year, but we'll find out when the time on that point is over and Microsoft's second big event of the show kicks off. We'll be there.

Update: John was kind enough to ping us and let us know about a November release date on a UK Microsoft press page, which also have a picture of below. This would seem to imply it's also hitting Europe, then on the end of the year, but we'll find out when the time on that point is over and Microsoft's second big event of the show kicks off. We'll be there.

Thanks - Bharat R.

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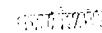


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